



May 15, 2017

By ECF and via email
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Honorable Cathy Seibel, U.S.D.J.
United States District Court
Southern District of New York
300 Quarropas Street
White Plains, New York 10601-4150

Re: Kenneth Hervochon v. Iona College, et al.
Docket No.: 14 CV 6017 (CS)
GS File No.: 7808.0001

Dear Judge Seibel:

As you know, we represent Plaintiff Kenneth Hervochon in the above-referenced matter. I write pursuant to the Court's Order that we submit a joint status letter regarding settlement efforts and trial dates by May 15, 2017.

Pursuant to the Court's mediation program, a mediator was appointed on May 11, 2017, and the parties are working on scheduling a mediation in June. In light of the same, we respectfully request that the Court extend the Joint Pre-Trial deadline to July 7, 2017. The current deadline is June 1, 2017, but the parties would like the opportunity to mediate prior to preparing and submitting that Order. All parties consent to this request.

With respect to trial dates, Plaintiff and his experts are available the weeks of September 18, September 25, October 10th and October 16th for trial. Counsel for Hennessey consents to these dates. Counsel for Iona did not respond stating they were available or unavailable for those dates; rather, counsel for Iona has proposed the first two weeks of December for trial. Counsel for Plaintiff strongly objects to delaying trial that long as this matter has already been seriously delayed due to coverage issues and motions that Plaintiff is not a party to. Further, Plaintiff's counsel notes that December trial dates were not discussed or anticipated by the Court or the parties at the last Court conference. Counsel for Gotham has advised that she will file her own letter with the Court regarding trial.

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The parties are available at the Court's convenience to discuss this matter further.

Very truly yours,

/s/ Laura Ashley Martin

Laura Ashley Martin

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Date for submission of joint pre-trial order is extended to 7/7/17.

Right now I have criminal trials in multi-defendant cases set for the months of September and October, but a number of defendants have been pleading out, so it is possible those cases will not take as long as budgeted and I will be able to fit this case in then. Counsel for Iona and Gotham are directed to advise by 5/19/17 if they and their experts are available during the weeks Ms. Martin suggests.

SO ORDERED.


CATHY SEIBEL, U.S.D.J.

May 16, 2017